

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Forest Department - Diversion of 183.11 Ha. of Forest Land, in Compartments No.26 & 27 of Saidulanama Reserve forest of Nalgonda Forest Division in Nalgonda District, for limestone mining, in favour of M/s. Deccan Cement Limited, Hyderabad - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

G.O Ms. No. 85

Dated: 9 -10-2013.

Read the following:-

1. From PCCF, A.P, Hyderabad, Lr.Rc.No. 31015/2007/F2, dated.8-9-2010
2. State Govt. Lr.No.7729/For.I (1)/2010, dated: 20-10-2010.
3. From GoI, MoEF, New Delhi, Lr.No.F.No.8-85/2011-FC, dated: 21-02-2012.
4. State Govt. letter No.7729/FOR.I (1)/2010, dated:15-12-2012
5. From GoI, MoEF, New Delhi, Lr.No.F.No.8-85/2011-FC, dated: 13-9-2013

ORDER:

The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 183.11 Ha. of Forest Land, in Compartments No.26 & 27 of Saidulanama Reserve forest of Nalgonda Forest Division in Nalgonda District, for limestone mining, in favour of M/s. Deccan Cement Limited, Hyderabad and requested to forward the same to Government of India, Ministry of Environment & Forests, for according necessary approval U/s 2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment & Forests, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment & Forests, vide their letter 3rd read above, have accorded their approval in-principle (Stage-I) under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein.

4. The State Government vide letter 4th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment & Forests, while according in-principle (Stage-I) approval. The State Government vide further letter dated. 20-6-2013 have furnished certain additional information as desired by the Government of India, Ministry of Environment & Forests.

5. Government of India, Ministry of Environment & Forests, in their letter 5th read above, have accorded their approval (Stage-II) under Section-2 of Forest (Conservation) Act, 1980, for diversion of 183.11 Ha. of Forest Land, in Compartments No.26 & 27 of Saidulanama Reserve forest of Nalgonda Forest Division in Nalgonda District, for limestone mining, in favour of M/s. Deccan Cement Limited, Hyderabad, subject to certain conditions as stipulated therein.

(Contd...2)

6. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad, for diversion of 183.11 Ha. of Forest Land, in Compartments No.26 & 27 of Saidulanama Reserve forest of Nalgonda Forest Division in Nalgonda District, for limestone mining, in favour of M/s. Deccan Cement Limited, Hyderabad, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged.
- (ii) Compensatory Afforestation over non-forest land equal in extent to the forest land being diverted shall be raised and maintained by the State Forest Department from funds realized from the User Agency.
- (iii) The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be declared as Reserved Forest under Section 4 or Protected Forest under Section 29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980, Government of Andhra Pradesh shall report compliance and submit an original copy of Notification to be issued by the State Government in this regard, within six months to the Ministry of Environment & Forests.
- (iv) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department.
- (v) The State Government shall implement the scheme prepared for 12.00 ha. plantation all along the Janpahad – Ravipahad road on both sides with 50 Mts width which is within the mining lease area from funds realized from the user agency.
- (vi) The State Government shall implement the scheme prepared for plantation in the 1st bench of the mined out area over an extent of 6.00 Ha. (8.5 mts x 7200 Rmt) from funds already realized from the State Government.
- (vii) The user agency shall ensure strict adherence to the prescribed top soil management.
- (viii) The State Government shall realize from the user agency the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India and transfer the same to the Ad-hoc CAMPA under intimation to the Ministry of Environment & Forests.
- (ix) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- (x) The User Agency either himself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining), at the project cost.
- (xi) The User Agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone.

(Contd...3)

- (xii) The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years.
- (xiii) User Agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4) if any, located in the area within 100 m. from outer perimeter of the mining lease.
- (xiv) The User Agency shall undertake de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks / water bodies, whenever required.
- (xv) The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Andhra Pradesh and the Additional Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Southern Zone), Bangalore. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Additional Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.
- (xvi) No labour camp shall be established on the forest land.
- (xvii) The User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas.
- (xviii) The boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
- (xix) The forest land shall not be used for any purpose other than that specified in the proposal.
- (xx) The State Government shall ensure reclamation of the forest land located in their existing mine. Mining in the forest land proposed for diversion shall be allowed only after the work for reclamation of the mined out area in their existing mine is initiated and the State Forest Department shall monitor the progress of reclamation works.
- (xxi) Mining may be restricted in the first phase to the area south of road connecting Janapahad – Ravipahad villages. In addition to the normal safety zone, a safety zone of 50 meter width fenced with chain link fence, from the road on the mine side may also be maintained.

(Contd...4)

- (xxii) Efforts may be made by the user agency to obtain consent of the residents of the Ravipahad Village and construct an alternate road to the north of the proposed mining lease after obtaining necessary approvals. Permission for mining in the 50 M safety zone, the existing road and any area to the north of the existing road, can be considered, after the alternate road is formed.
- (xxiii) Any other condition that the Southern Regional Office of the Ministry of Environment & Forests, Bangalore and State Government of Andhra Pradesh may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife.
- (xxiv) The user agency shall submit annual report on status of compliance to conditions stipulated in the approval to the concerned Regional Office of the Ministry of Environment & Forests, and the State Government of Andhra Pradesh.
- (xxv) The User Agency and the State Government shall ensure compliance to provision of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

7. The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad is directed to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M. SAMUEL,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
The Principal Chief Conservator of Forests,
Andhra Pradesh, Hyderabad.

Copy to:

The Inspector General of Forests,
Government of India, Ministry of Environment & Forests,
Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi -110 003

The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office (Southern Zone) Kendriya Sadan, IV Floor E & F Wings,
17th Main Road, II Block, Koramangala, BANGALORE -560 034.

M/s. Deccan Cement Limited, Hyderabad
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER. .